

UPDATED INFORMATIVE DIGEST

The proposed regulations are necessary to implement one mandate of Senate Bill (SB) 1013, Chapter 20, Statutes of 2012, which amended the prior Assembly Bill (AB) 2773, Chapter 1056, Statutes of 1998, changing the term "adoption agency" to "county adoption agencies and licensed adoption agencies" regarding photo-listing of children awaiting permanency of adoption in accordance with Family Code section 8707.

The California Department of Social Services (CDSS) contract vendor maintains child specific information posted on general media as a means of recruiting prospective adoptive parents when children are free for adoption or have in place a permanent plan of adoption.

These regulations are necessary to promote the best interest of children in out-of-home care by ensuring that children have permanent, safe, and loving homes. These regulations comply with the provisions from noted state legislative bills.

The intent of the proposed regulations is to comply with recruitment provisions from state legislative bills and federal public laws to increase the number of prospective adoptive or foster families to provide permanency for children.

The anticipated benefit of these regulations is to comply with state law. Regulations raise awareness about the need for adoptive and foster families for children by means of photo-listing of children on social media and diligent recruitment.

The proposed regulations also amend the Title 22, Division 2, Chapter 3 regulations of the Manual of Policies and Procedures by adopting SB 1013 and by adding the term "department." The photo-listing service applies to all public and private adoption agencies, including the CDSS regional offices. These proposed regulations adopt new and amended language for Sections 35015, 35017, and 35019.

The CDSS conducted an evaluation as to whether there are any related regulations on this matter and has found that these are the only regulations dealing with photo-listing of children awaiting permanency. Therefore, the proposed regulations are neither inconsistent nor incompatible with existing state regulations. They are consistent with the intent of the Legislature in adopting SB 1013.

These regulations were noticed on September 22, 2017. The following changes were made to the proposed regulations after the public hearing:

1. The proposed new section, which was listed as Section 35017(b) in the text, was removed due to duplication of statute. Section 35017(a) was amended in the regulations text but still duplicates statute Family Code section 8707 stating, "recruitment of prospective adoptive parents." This duplication is necessary as this phrase is clear, as the photo listing site seeks to identify and engage prospective adoptive parents. Whereas, the use of other

terminology such as marketing could be misconstrued, e.g. for fundraising. The term "recruitment" was simply the clearest language that could be used.

2. Sections 35017(b) through (h) were not renumbered as the proposed regulation text was removed.
3. The proposed text adding "and in accordance with law" to Section 35015(a)(2) has been deleted, as this language was unnecessary.
4. The proposed revision to Section 35017(h) references were altered to identify submitted documents that were referenced in the text.
5. The proposed Section 35019(e) was deleted, as this was a duplication error of Section 35019(a).